Federal Defenders
OF NEW YORK, INC.

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

May 19, 2017

Honorable Lorna G. Schofield
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 1106
New York, New York 10007

Re: **Securities and Exchange Commission v. Connell**
17-cv-00831 (LGS)

Dear Judge Schofield:

I am the attorney appointed to represent Barry Connell in a pending criminal matter filed under indictment number 17 CR 116, in the Southern District of New York, charging him with violations of 18 U.S.C. §§656, 1343, and 1344; 15 U.S.C. §§80b-6 and 80b-17; and 18 U.S.C. § 2. The indictment was filed on February 17, 2017. Mr. Connell is scheduled to appear before The Honorable Richard M. Berman on July 12, 2017 for a pretrial conference. Mr. Connell is not currently represented on the above referenced civil matter and he has no ability to retain counsel.

In the interest of justice and to avoid prejudice, I write, on behalf of Mr. Connell, to request a stay in the above referenced civil proceedings pending the outcome of his criminal case. The civil and the criminal cases involve nearly identical facts, witnesses, and issues, weighing heavily in favor of a stay. Considerations of judicial economy also weigh in favor of a stay. Issues common to both cases can be resolved in the criminal proceeding, which will likely affect the result of the civil proceeding.

In a letter filed March 21, 2017, counsel for Plaintiff Securities and Exchange Commission informed the Court that neither the Plaintiff nor the United States Attorney's Office opposes a stay pending the outcome of the criminal case.

Therefore, I respectfully request the Court grant Mr. Connell's request for a stay of the civil proceedings pending the outcome of the criminal case.

Respectfully submitted,

/S/

Amy Gallicchio, Esq.

Cc: Dugan Bliss, Esq.
AUSA Won S, Shin